

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                   )  
                                  )  
vs.                            )                                   Cause No. 1:06-cr-0013 (SEB/KPF)  
                                  )  
JAMES E. PHILLIPS,           )  
                                  )  
Defendant.                   )

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Having reviewed Magistrate Judge Kennard P. Foster's Report and Recommendation that James E. Phillips's supervised release be revoked, pursuant to Title 18 U.S.C. §3401(i), Rule 32.1(a)(1) *Federal Rules of Criminal Procedure* and Title 18 U.S.C. §3583, the Court now approves and adopts the Report and Recommendation as the entry of the Court, and orders a sentence imposed of imprisonment of 24 months in the custody of the Attorney General or his designee, to be served consecutively with the state sentence he is now serving, with no supervised release to follow his release from federal custody. Because Mr. Phillips was present before the U. S. Magistrate Judge on August 17, 2011 pursuant to a Writ of Habeas Corpus Ad Prosequendum, he will be returned to State custody for the remainder of the State sentence he is currently serving. He will serve the 24 months recommended sentence herein after service of his current State sentence.

SO ORDERED

Date: 08/23/2011

  
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SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

Distribution:

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U. S. Parole and Probation

U. S. Marshal